

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ContentGuard Holdings, Inc.,

Plaintiff,

v.

Amazon.com, Inc.; Apple Inc.; BlackBerry Limited (fka Research In Motion Limited) and BlackBerry Corporation (fka Research In Motion Corporation); HTC Corporation and HTC America, Inc.; Huawei Technologies Co., Ltd. and Huawei Device USA, Inc.; Motorola Mobility LLC; Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC,

Defendants.

Civil Action No. 2:13-cv-01112-JRG

JURY TRIAL DEMANDED

**CONTENTGUARD HOLDINGS, INC.'S ANSWER TO
AMAZON.COM, INC.'s COUNTERCLAIMS**

Plaintiff ContentGuard Holdings, Inc. ("ContentGuard") answers the Counterclaims of Amazon.com, Inc. ("Amazon") filed on April 23, 2015 (Dkt. No. 537).

COUNTERCLAIMS

THE PARTIES

1. Upon information and belief, based solely on Paragraph 1 of Amazon's Counterclaims as pled by Amazon, ContentGuard admits that Defendant/Counterclaimant Amazon is a Delaware corporation with a principal place of business at 410 Terry Ave, North Seattle, WA 98109.

2. ContentGuard admits that it is a Texas corporation with a registered address of 6900 N. Dallas Parkway, Suite 850, Plano, Texas, 75024.

3. The allegations in Paragraph 3 are legal conclusions and furthermore not directed at ContentGuard, and therefore no response from ContentGuard is required.

4. ContentGuard admits it has accused Amazon, and other defendants who support the Amazon Kindle app, of infringing the '859 Patent, the '072 Patent, the '280 Patent, the '053 Patent, the '576 Patent, the '956 Patent, the '007 Patent, the '160 Patent, and the '556 Patent (collectively, the "patents-in-suit").

5. ContentGuard admits the allegations in Paragraph 5.

6. ContentGuard denies the allegations in Paragraph 6.

7. ContentGuard denies the allegations of Paragraph 7.

JURY DEMAND

No response is required to Amazon's demand for a jury trial.

RELIEF REQUESTED

ContentGuard denies that Amazon is entitled to the judgment sought in Amazon's request for relief.

AFFIRMATIVE DEFENSES

UNCLEAN HANDS

8. Upon information and belief, Amazon's claims for relief are barred due to unclean hands.

INJUNCTIVE RELIEF

9. Amazon is not entitled to any injunctive relief because any alleged injury to Amazon is not immediate or irreparable, and Amazon has an adequate remedy at law.

COST LIMITATIONS

10. Amazon has not demonstrated that this case is “exceptional” under 35 U.S.C. § 285 or that an award of attorneys’ fees, expenses and costs incurred in litigating this action is appropriate or justified.

Dated: May 8, 2015

Respectfully submitted,

/s/ Sam Baxter

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**ATTORNEYS FOR CONTENTGUARD
HOLDINGS, INC.**

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic services on this the 8th day of May, 2015. Local Rule CV-5(a)(3)(A).

/s/ Dana E. Vallera